

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of June 21, 2012

Thursday, June 21, 2012, 9:00 a.m.
Basement Conference Room B-1
1400 W. Washington, Phoenix, AZ 85007

Board Members Present:

Board Chair Jeanette Kieffer
Vice Chair Charles Ramirez
Tracy Cagan
David Sanderson
Jose Gonzales
Nicholas Walters

Board Members Absent:

Michelle O'Hair-Schattenberg

Staff Present:

Jack Confer
David Geriminsky
Valarie Wallace

Legal Counsel:

Nancy Beck

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Authored by: Valarie Wallace
Recommended by: Jack Confer
Approved by the Board on July 19, 2012

Board of Respiratory Care Examiners Board Meeting Minutes

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CALL TO ORDER

The Meeting was called to order at 9:00 a.m. by Board Chair Jeanette Kieffer.

CONSENT AGENDA

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All items listed with “C” are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item R-2.

MOTION ON THE CONSENT:

There being no items requested to be removed, a motion was made by **David Sanderson** to approve all items on the Consent Agenda with the correction made to the May 17, 2012 minutes. **Board Vice-Chair Charles Ramirez** seconded. **The Motion Passed**

C-1 APPROVAL OF MINUTES

Recommended for Approval
May 17, 2012

C-2 ACTION ON APPLICATIONS FOR LICENSURE

i. Permanent License Issuance

Recommended for approval by the Executive Director

Ali Alhisnawi	Evan Altman	Jessica Barnes	Timothy Brooks
Emily Cline	Justin Clontz	Jana Dawson	William Delago
Chad Gillespie	Deborah Hale	Bryce Hawkes	Pietros Jacob
Jennifer Koppes	Robert Laguna	Enok Madrigal	Nancy Moore
Matthew Moran	Keith Mundt	Shelby Norton	Tyler Pemberton
Gabriela Rocha	John Snodderly	Tammy Spencer	Sarah Taylor
Jeremy Van Wolferen	Tracy Wipplinger	Erin Yandell	April Zabel

ii. Re-Application for Permanent Licensure
Recommended for approval by the Executive Director

David Barker Richard Morrison Samuel Peters Charles Spencer

iii. Ratification of Temporary Licenses Issued Pursuant to A.R.S. § 32-3521
Recommended for Ratification by the Executive Director

Elizabeth Anderson	Jennifer Anderson	Larry Anderson	Suchanart Armstrong
David Bacon	Kathleen Beauregard	Elizabeth Bockman	Barbe Brzezinski
Andria Carrington	Christine Carver	Noah Dayton	Cosmina Deac
Amanda Ernst	Erin German	Sarah Gonzalez	Megan Hayden
Kelly Hixon	Ronda Huffman	Pietros Jacob	Herman Johnson
Patrick King	Donna Klabbatz	Julie Mangum	Sandy Phan
Brittany Quintana	Annette Ramos	Catherine Reynolds	Alejandro Rodriguez
Richard Sprague	Nicole Taran	Daniel Wesnitzer	

iv. Ratification of Temporary License Extension Issued pursuant to A.R.S. § 32-3521
Recommended for Ratification by the Executive Director
None

C -3 ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES
Recommended for closing of application files

Lacey Pitts Hector Ramirez

C- 4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES
Recommended for closing of inactive files

Erika Bellamy	Charles Brown	Megan Cloke	Kelly Crowley
Susan Dotson	John Edwards	Adolph Esquibel	Kathie Huff
James Kemmerlin	Anthony Markle	Beverly Pietras	John Pietrzyk
Debora Relaford	Tracy Roberts	Tammi Schanaman	Brook Sleder
Thomas Tuthill	Antonio Vicens	Magda Villegas	Robert Welsh
Jaclyn Wilkerson	Rosalinde Wood	Randell Zrubek	

C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Elrine Bass	Lucie Beck	Christina Beckman	Julianne Bising
Thomas Black	Kenneth Black	Solomon Bugayong	Chad Christer
Abbie Currier	Corena Davis	Ted Frieband	Roxanne Garcia
Kristina Garibay	Shawna Grose	Tonya Hain	Nimo Haji
Arthur Hardy	Chaazzee Haper-Burton	Shauna Johnson	Joni Johnson-Whaley
Dion Joura	Shannon Kortman	Marlow Krein	Pacifico Lejano
Cheryl McCormick	Kathleen McLaughlin	Erlinda Miller	Azure Morris
Colleen Ochs	Alan Rasmussen	Veronica Salazar	Helen Sell
Patti Shay	Rikk Sowers	Michael Steele	Lynne Stewart
Londa Tallant	Lloyd Thayne	Robert Thomas	Donna Ullmer
Mary Wallace	Brian William		

C -6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

Kathy Lochner John Smith

C -7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, July 19, 2012

REGULAR AGENDA

R-1 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

- i. 2013 Budget
- ii. Legislative Committee
- iii. Webpage/Database Update
- iv. Open Applications
- v. Open Investigations
- vi. Board Member Appointments
- vii. 2nd annual AzSRC Student Conference
- viii. Board Member Roster
- ix. Uncollectable Debt Referral Certification
- x. Survey Results

Executive Director Confer discussed these items with the Board and responded to general questions.

R-2 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

No action.

R-3 DISCUSSION/ACTION ON APPLICATIONS FOR TEMPORARY LICENSURE, PROFESSIONAL LICENSURE, RENEWAL & RE-APPLICATIONS

Application for Licensure/Interview

1. Michael Ryan Case Number C003002-12-010469

Investigator David Geriminsky provided the Board with a brief summary of the application. The Board reviewed the application with Mr. Ryan and discussed his answers to the mandatory questions. The Applicant responded to those questions regarding his background and the information disclosed by the fingerprint check. The Applicant also responded to those questions regarding his substance abuse history and his previous license held with this Board.

MOTION: Board Member Nicholas Walters moved to grant license with a Consent Agreement that would include a period of random drug screens. Seconded by Board Member Tracy Cagan.

VOTE: Motion passed unanimously. (6-0)

R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

None

R-5 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Jason Bradford

Case Number C002912-12-007737

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegations contained therein. Mr. Bradford was present along with his counsel Pete Fisher and addressed the Board. The Board held lengthy discussion including questions for Mr. Bradford on this matter and the allegations.

MOTION: Board Vice Chair Charles Ramirez to issue a Letter of Concern for potential unprofessional conduct and classes at Kaplan College dismiss. Seconded by Board Member Nicholas Walters.

VOTE: Motion passes, (5-1; Jose Gonzales voting Nay)

2. John Durbano

Case Number C002914-12-000852

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegation contained therein. Mr. Durbano was present and addressed the Board. The Board held a lengthy discussion including questions for Mr. Durbano on this matter and the allegation.

MOTION: Board Vice-Chair Ramirez to issue a Formal Complaint and Notice of Hearing and to subpoena the facility for the patient's medical records in question. Seconded by Board Member Jose Gonzales.

VOTE: Motion passed unanimously. (6-0)

3. Jennifer Jazayeri

Case Number C002874-12-008163

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegation contained therein. Ms. Jazayeri was present and addressed the Board. The Board held a discussion including questions for Ms. Jazayeri on this matter and the allegation.

MOTION: Board Member David Sanderson to dismiss the allegation. Seconded by Board Member Tracy Cagan.

VOTE: Motion passed unanimously. (6-0)

4. Elice Linehan

Case Number C002877-12-007784

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegation contained therein. Ms. Linehan was present and addressed the Board. The Board held a lengthy discussion including questions for Ms. Linehan on this matter and the allegation.

MOTION: Board Member Jose Gonzales to table this matter until the next Board meeting in July of 2012 and Ms. Linehan must provide the Board office with a recent letter from her physician indicating that she is safe to practice respiratory care. Seconded by Board Member Nicholas Walters.

VOTE: Motion passed unanimously. (6-0)

5. Kisha Mason

Case Number C005913-12-007551

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegation contained therein. Ms. Mason was present and addressed the Board. The Board held a lengthy discussion including questions for Ms. Mason on this matter and the allegation.

MOTION: Board member David Sanderson to dismiss the allegation. Seconded by Board Member Tracy Cagan.

VOTE: Motion passed. (5-1; Board Member Jose Gonzales voted Nay)

6. Matthew Williams

Case Number C002852-12-008397;
Case Number C002876-12-008997

Investigator David Geriminsky provided the Board with a brief summary of the case and the allegations contained therein. Mr. Williams was not present. The Board held a lengthy discussion on this matter and the allegations.

MOTION: Board Member Jose Gonzales to issue a Formal Complaint and Notice of Hearing. Seconded by Board Member Tracy Cagan.

VOTE: Motion passed unanimously. (6-0)

R-6 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Mark Armstrong

Case Number C002798-12-007342

Assistant Attorney General Nancy Beck presented the case on behalf of the state. The Board's Investigator David Geriminsky was sworn in and provided testimony in regards to the complaint. The Board found after reviewing the case and hearing testimony that a preponderance of evidence had been found to substantiate the complaint and its allegations.

MOTION: Board Member Tracy Cagan to adopt Finding of Facts and Conclusion of Laws set forth in the complaint. Seconded by Board Member David Sanderson.

VOTE: Motion passed unanimously by a roll call vote. (6-0)

MOTION: Board Member Tracy Cagan to revoke Mr. Armstrong's license to practice respiratory care. Seconded by Board Member Jose Gonzales

VOTE: Motion passed unanimously by a roll call vote. (6-0)

R-7 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION **Informal Interview Regarding Probation Compliance**

None

R-9 CALL TO THE PUBLIC

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

R-10 ADJOURNMENT

Board Chair Jeanette Kieffer adjourned the meeting at 12:00 p.m., without objection.

DATED this _____ day of June, 2012

Jack Confer
Executive Director